



DEPARTMENT OF THE INTERIOR

INFORMATION SERVICE

BUREAU OF BIOLOGICAL SURVEY

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FEUD BRINGS ARREST AFTER 2 YEARS; JURY FINDS MEN GUILTY IN 18 MINUTES

After 2 years of patient investigation a feud helped Bureau of Biological Survey game management agents arrest Albert ("Peanut") Lazette and Henry ("Mud-cut") Dubay, of Monroe, Michigan, for killing and possessing wild whistling swans but a jury in Federal court at Detroit took only 18 minutes to find Lazette guilty, the Bureau reported today. Dubay had pleaded guilty.

Judge Edward J. Moinet sentenced Lazette to 30 days in jail and \$400 fine, and Dubay to a 6-months suspended sentence with 3 years probation. The judge stated that he was lenient with Dubay because the violator is old and ill but warned that he will enforce the jail sentence if Dubay is convicted for violating a local, State, or Federal law during the next 3 years.

Game management agents suspected for some 2 years that Lazette and Dubay, fishermen living near the marshes of Monroe, shot whistling swans there at night. These migratory birds are completely protected by Federal hunting regulations. Not until the development of a feud between the suspected violators and a neighboring family were the Federal agents able to obtain witnesses to a violation.

Hearing of this feud, Survey agents obtained affidavits from Sidney and Charles Duvall charging that on April 10, 1939, Lazette and Dubay had killed whistling swans in the marshes near the Duvall shanty.

When arraigned before U. S. Commissioner Stanley Hurd, at Detroit, on October 4, 1939, both men pleaded not guilty. Two days later, Dubay changed his plea to guilty. Lazette was released on \$500 bail, while Dubay was remanded to jail for failing to raise \$1,000 bail.

Lazette appeared before Judge Moinet on April 2, 1940, and demanded a jury trial. Assistant U. S. District Attorney Louis M. Hopping concluded his charge to the jury at 5:12 p.m., and 18 minutes later the jury returned with a verdict of guilty. Lazette and Dubay were sentenced two days later.